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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DANIEL MITCHELL and EUSEBIO NAVA
GAMA,

Plaintiffs,

v.

MICHAEL POMPEO, UNITED STATES
SECRETARY of STATE, *et al.*,

Defendants.

Case No: 2:18-cv-01413-JCM-PAL

**FEDERAL DEFENDANTS'
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND
TO COMPLAINT**

(First Request)

Federal Defendants respectfully move for an extension of time of thirty (30) days until **October 31, 2018**, to respond to Plaintiffs' Complaint (ECF No. 1). Currently a response is due October 1, 2018. Plaintiffs do not oppose this request.

This Motion is based on the following Memorandum of Points and Authorities.

Respectfully submitted this 28th day of September 2018.

DAYLE ELIESON
United States Attorney

/s/ Lindsay M. Roberts
LINDSY M. ROBERTS
Assistant United States Attorney

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 The parties in this action are currently engaged in discussions about the claims set forth
3 in the Complaint and Plaintiff Eusebio Nava Gama's immigration history. The parties believe
4 that they may be able to resolve this matter without further litigation.

5 Federal Defendants request, and Plaintiffs' counsel does not oppose, a thirty day
6 extension to allow the parties the opportunity to further evaluate the claims set forth and
7 determine whether the matter can be resolved.

8 This request is filed in good faith and not for the purposes of undue delay.

9 If the parties are unable to resolve the matter, Federal Defendants will file a response to
10 the complaint by October 31, 2018, with the Court's approval.

11 Respectfully submitted this 28th day of September 2018.

12 DAYLE ELIESON
13 United States Attorney

14 /s/ Lindsay M. Roberts
15 LINDSY M. ROBERTS
16 Assistant United States Attorney

17 IT IS SO ORDERED:

18 
19 UNITED STATES DISTRICT JUDGE
20 UNITED STATES MAGISTRATE JUDGE

21 DATED: October 3, 2018

22 **PROOF OF SERVICE**

23 I, Lindsay M. Roberts, certify that the **UNITED STATES' UNOPPOSED MOTION**
24 **FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT** was served on this date
25 via the Court's Electronic Case Filing system, unless specified otherwise below.

26 Dated this 28th day of September 2018.

27 /s/ Lindsay M. Roberts
28 LINDSY M. ROBERTS
Assistant United States Attorney